

## Appendix II

### **COMPATIBILITY DETERMINATION**

**Use:** Construct a visitor center on Refuge lands on Ski Hill Road near the current Refuge Headquarters (administrative) site, south of Soldotna, Alaska.

**Refuge Name:** Kenai National Wildlife Refuge.

**Establishing and Acquisition Authorities:** The Refuge was first established as the Kenai National Moose Range by Executive Order 8979 on December 16, 1941. The boundaries were modified, purposes expanded, and name changed to Kenai National Wildlife Refuge under the provisions of the Alaska National Interest Lands Conservation Act (ANILCA) on December 2, 1980 (Public Law 96-487 Stat. 2371).

**Refuge Purposes:** The 1941 Executive Order purpose was primarily to "... protect the natural breeding and feeding range of the giant Kenai moose on the Kenai Peninsula, Alaska..." ANILCA (1980) purposes for the Refuge include: "(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to moose, bear, mountain goats, Dall sheep, wolves and other furbearers, salmonids and other fish, waterfowl and other migratory and non-migratory birds; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to ensure to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity with the Refuge; (iv) to provide in a manner consistent with subparagraphs (i) and (ii), opportunities for scientific research, interpretation, environmental education, and land management training; and (v) to provide, in a manner compatible with these purposes, opportunities for fish and wildlife oriented recreation." The Wilderness Act of 1964 (Public Law 88-577) purposes are to secure an enduring resource of wilderness, to protect and preserve the wilderness character of areas within the National Wilderness Preservation System, and to administer this wilderness system for the use and enjoyment of the American people in a way that will leave them unimpaired for future use and enjoyment as wilderness.

Policy (FWS 603 2.8) directs that pre-ANILCA purposes remain in force and effect, except to the extent that they may be inconsistent with ANILCA or the Alaska Native Claims Settlement Act, and that such purposes only apply to those areas of the Refuge in existence prior to ANILCA. The Executive Order purpose to protect Kenai moose,

however, is treated as complimentary to the broader ANILCA purpose of conserving fish and wildlife populations; therefore, no special attention is given the Executive Order purpose in this compatibility review process.

Section 4(a) of the Wilderness Act provides that the purposes of the Act are to be within and supplemental to the purposes for which national wildlife refuges are established and administered. These purposes are applied to the approximately 1.3 million acres of congressionally designated wilderness within the Refuge. While these purposes do not apply to the remaining approximately 700,000 acres of Refuge lands that are not designated as wilderness, we must consider the effects of uses on any Refuge lands that might affect the wilderness areas.

**National Wildlife Refuge System Mission:** Our Mission is “Working with others...to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans”.

**Description of Use:** This Compatibility Determination is meant to cover the construction of a visitor center. This facility will improve the understanding of the purpose and mission of KENWR visitors who use the Refuge. The ultimate goal is better informed constituency and users who will support our mission and who will participate in outdoor recreation activities in ways that minimize disturbance to wildlife and damage to habitat.

Designs for the proposed facility will be developed in accordance with the USFWS standard design.

**Availability of Resources:** Adequate refuge personnel and base operational funds are available to manage this additional facility.

**Anticipated Impacts of the Use:** In general, impacts from the addition of this facility may increase the number of users coming to the Refuge Headquarters area. This area has been developed since 1981 and is a focal point for local residents who use the Refuge as well as new visitors coming to seek information about recreational opportunities. This facility may increase use both in the facility and on Refuge trails in the immediate area. However, the additional public use will give Refuge staff more opportunities to provide enhanced awareness and education on the mission of the Refuge system as well as ways to use the Refuge that minimize disturbance and damage to wildlife and habitat. The visitor will have an increased understanding of our mission and the work we do to conserve wildlife habitat and monitor the effects of climate change, and they will become better stewards of the land through the knowledge they glean from these efforts.

**Public Review and Comment:** This Compatibility Determination has been prepared simultaneously with an Environmental Assessment and Section 810 evaluation of the impacts of this use on subsistence resources and activities. Legal notice of these draft documents was published in the Kenai Peninsula Clarion on August 14, 2009. Publishing initiated a 30-day public comment period. The notice and related documents were posted

on the Kenai Refuge website at <http://kenai.fws.gov/current.htm> for the same 30 day period. No comments were received.

**Determination (check one below):**

\_\_\_\_\_ Use is Not Compatible

  X   Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:** The facility will be designed with the minimal footprint needed to safely construct the facility and conduct anticipated uses. A focus of the informational and educational materials will be to inform the public on how they can minimize disturbance to wildlife and damage to habitat while using the Refuge. The facility will also be designed to meet or exceed Leadership in Energy and Environmental Design (LEED) standards as established by the U.S. Green Building Council. Visitation to the facility and trails will be monitored, and use patterns will be analyzed in concert with localized biological monitoring to mitigate any adverse impacts in a timely manner.

**Justification:** Providing opportunities for education and interpretation is clearly stated in the purposes of Kenai National Wildlife Refuge. Facilitating this mandate with increased public awareness through education provided at the new visitor center, we will be minimizing impacts to other resources as those informed visitors explore additional parts of KENWR, and the combined effect will not materially interfere with, or detract from the Refuge's ability to meet all of its purposes, and the requirements of the National Wildlife Refuge System mission.

**References:**

U.S. Fish and Wildlife Service (U.S. Fish and Wildlife Service (2010). *Kenai National Wildlife Refuge Environmental Assessment Visitor Center Construction*

U.S. Fish and Wildlife Service (2009). *Kenai National Wildlife Refuge, Comprehensive Conservation Plan*. Anchorage, Alaska.

Signature (Refuge Manager): Douglas Stalle 1-28-2010  
Signature and Date

Concurrence (Regional Chief): [Signature] 2/1/10  
Signature and Date

Mandatory 10-year Re-evaluation Date: 2/1/2020

NEPA compliance for Refuge Use Decision:

☐ Categorical Exclusion without Environmental Action Memorandum  
☐ Categorical Exclusion and Environmental Action Memorandum  
☒ Environmental Assessment and Finding of No significant Impact  
☐ Environmental Impact Statement and Record of Decision